

DISTRICT COURT, CITY AND COUNTY OF DENVER, COLORADO  1437 Bannock Street Denver, CO 80202 <hr/> THE PEOPLE OF THE STATE OF COLORADO,  v.  RICHARD G. CALEEL, DOB 05/18/1976 LAKSHMAN N. GARIN, DOB 01/25/1982 BUCK GLANZ, DOB 09/26/1982 MAGIN GOMEZ, DOB 11/2/1980 MICAH KROUT, DOB 06/09/1981 CLAYTON MCCANN, DOB 08/01/1982 CHARLES WHITSON, DOB 1/23/1982 AUSTIN LEARD, DOB 10/21/81 LAURA VANWORMER, DOB 9/30/66  Defendants.	<div style="text-align: center;">▲ COURT USE ONLY ▲</div>
JOHN W. SUTHERS, Attorney General ANNEMARIE L. BRAUN* Senior Assistant Attorney General 1525 Sherman Street, 7 <sup>th</sup> Floor Denver, CO 80203 303-866-5738 Registration Number: 39877 *Counsel of Record	Case No.:  GJ Case No.: 10CR01  Ctrm: 6
<div style="text-align: center;"><b>COLORADO STATE GRAND JURY SUPERSEDING INDICTMENT</b></div>	

Of the 2010-2011 term of the Denver District Court in the year 2010; the 2010-2011 Colorado State Grand Jurors, chosen, selected and sworn in the name and by the authority of the People of the State of Colorado, upon their oaths, present the following:

COUNT ONE:            COCCA – Pattern of Racketeering – Participation in an  
37284                      Enterprise, § 18-17-104(3), C.R.S., (F2)

Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, Clayton McCann, Charles Whitson, Austin Leard

COUNT TWO: 37284	COCCA – Conspiracy, § 18-17-104(4), C.R.S., (F2)  Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, Clayton McCann, Charles Whitson, Austin Leard
COUNT THREE: 3441E	Conspiracy to Distribute Marihuana, § 18-18-406(8)(b), C.R.S., (F4)  Lakshman N. Garin
COUNT FOUR: 3441C	Distribution of Marihuana, § 18-18-406(8)(b)(I), C.R.S., (F4)  Lakshman N. Garin
COUNT FIVE: 3441E	Conspiracy to Distribute Marihuana, § 18-18-406(8)(b), C.R.S., (F4)  Lakshman N. Garin
COUNT SIX: 3441C	Distribution of Marihuana, § 18-18-406(8)(b)(I), C.R.S., (F4)  Lakshman N. Garin, Clayton McCann
COUNT SEVEN: 3441E	Conspiracy to Distribute Marihuana, § 18-18-406(8)(b), C.R.S., (F4)  Lakshman N. Garin
COUNT EIGHT: 3441C	Distribution of Marihuana, § 18-18-406(8)(b)(I), C.R.S., (F4)  Lakshman N. Garin, Clayton McCann
COUNT NINE: 3441C	Distribution of Marihuana, § 18-18-406(8)(b)(I), C.R.S., (F4)  Lakshman N. Garin, Micah Krout
COUNT TEN: 3441A	Cultivation of Marihuana, § 18-18-406(8)(a)(I), C.R.S., (F4)  Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, Clayton McCann
COUNT ELEVEN: 3441A	Cultivation of Marihuana, § 18-18-406(8)(a)(I), C.R.S., (F4)  Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, Clayton McCann

COUNT TWELVE: 3441A	<p>Cultivation of Marihuana, § 18-18-406(8)(a)(I), C.R.S., (F4)</p> <p>Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, Clayton McCann</p>
COUNT THIRTEEN: 3441A	<p>Cultivation of Marihuana, § 18-18-406(8)(a)(I), C.R.S., (F4)</p> <p>Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, Clayton McCann</p>
COUNT FOURTEEN: 3441A	<p>Cultivation of Marihuana, § 18-18-406(8)(a)(I), C.R.S., (F4)</p> <p>Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, Clayton McCann</p>
COUNT FIFTEEN: 3441A	<p>Cultivation of Marihuana, § 18-18-406(8)(a)(I), C.R.S., (F4)</p> <p>Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, Clayton McCann</p>
COUNT SIXTEEN: 3441A	<p>Cultivation of Marihuana, § 18-18-406(8)(a)(I), C.R.S., (F4)</p> <p>Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, Clayton McCann</p>
COUNT SEVENTEEN: 3441C	<p>Distribution of Marihuana, § 18-18-406(8)(b)(I), C.R.S., (F4)</p> <p>Lakshman N. Garin</p>
COUNT EIGHTEEN: 3441E	<p>Conspiracy to Distribute Marihuana, § 18-18-406(8)(b), C.R.S., (F4)</p> <p>Richard G. Caleel, Lakshman N. Garin, Micah Krout, Charles Whitson, Austin Leard</p>
COUNT NINETEEN: 3441G	<p>Possession with Intent to Distribute Marihuana, § 18-18-406(8)(b), C.R.S., (F4)</p> <p>Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, Clayton McCann</p>

COUNT TWENTY: Marijuana—Fraudulently Use or Steal Registry  
34032 Identification Card, § 18-18-406.3(3), C.R.S., (M1)

Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin  
Gomez, Micah Krout, Clayton McCann

COUNT TWENTY-ONE: Distribution of Marihuana, § 18-18-406(8)(b)(I), C.R.S., (F4)  
30021 Laura Vanwormer

**COUNT ONE**

**VIOLATION OF THE COLORADO ORGANIZED CRIME CONTROL ACT —  
PATTERN OF RACKETEERING—PARTICIPATION IN AN ENTERPRISE,  
C.R.S. 18-17-104(3) and 18-17-105 (F2)**

On and between December 1, 2009, and December 2, 2010, in and triable in the counties of Boulder, Larimer, Weld, and Jefferson, in the State of Colorado, **Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, Clayton McCann, Charles Whitson, Austin Leard** and others both known and unknown, while employed by or associated with an enterprise, unlawfully, feloniously, and knowingly conducted or participated, directly or indirectly, in the enterprise through a pattern of racketeering activity: in violation of sections 18-17-104(3) and 18-17-105, C.R.S.

**COUNT TWO**

**VIOLATION OF THE COLORADO ORGANIZED CRIME CONTROL  
ACT — CONSPIRACY/ENDEAVORING, C.R.S. 18-17-104(4) (F2)**

On and between December 1, 2009 and December 2, 2010, in and triable in the counties of Boulder, Larimer, Weld, and Jefferson, in the State of Colorado, **Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, Clayton McCann, Charles Whitson, Austin Leard** and others both known and unknown, did unlawfully, knowingly, and feloniously conspire and endeavor to conduct and participate, directly or indirectly, in an enterprise, through a pattern of racketeering activity in violation of C.R.S. § 18-17-104(4) and § 18-17-104(3), C.R.S.

The offenses alleged in Counts One and Two were committed in the following manner:

**The Enterprise**

The enterprise alleged in counts one and two was primarily a group of individuals, associated in fact, although not a legal entity. The enterprise included, but was not limited to, the following associated in fact individuals and/or legal entities: **Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, Clayton McCann, Charles Whitson, Austin Leard** and others both known and unknown to the Grand Jury. The individuals associated with the enterprise had a primary objective and a common purpose which centered around an illicit scheme to both cultivate and distribute large quantities of marihuana in Northern Colorado and in the state of New Mexico. The conduct of the enterprise was to illegally grow, process, and package marihuana in various residences located in Northern Colorado and then to sell the marihuana illegally to customers in Northern Colorado and in New Mexico. Richard G.

Caleel and Lakshman N. Garin functioned as the leaders of this organization. Caleel primarily supervised the cultivation of the marihuana by the organization while Garin primarily coordinated the storage and the illegal distribution of the processed marihuana by the organization. Both Caleel and Garin also maintained illegal marihuana growing operations at their respective residences.

The other members of this criminal enterprise—Buck Glanz, Magin Gomez, Micah Krout, and Clayton McCann each maintained an illegal marihuana growing operation at their respective residences. The organization maintained a total of six growing operations simultaneously. Furthermore, these members of the organization assisted in working and maintaining all of the organization's growing operations. In addition, Charles Whitson and Austin Leard assisted Lakshman Garin with the distribution of illegal marijuana by both delivering packages of marihuana and by collecting the proceeds from the illegal sale of marihuana. Also, Micah Krout and Clayton McCann assisted the leaders by delivering packages of marihuana derived from the organization's illicit grows or by collecting proceeds from the distribution of the organization's marihuana.

Finally, the members of this criminal enterprise relied upon and used a system of cellular telephones and other telecommunications facilities to carry out the daily activities of the illicit growing operations, to assist in their distribution activities, and to attempt to thwart law enforcement investigation. Members of the criminal enterprise often utilized coded terminology when speaking to each other on the telephone in order to conceal their criminal activities.

### **Pattern of Racketeering Activity**

**Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, Clayton McCann, Charles Whitson, and Austin Leard** directly and in concert, engaged in, attempted to engage in, conspired to engage in, or solicited another to engage in at least two predicate acts, including any lesser offenses, related to the conduct of the enterprise, with at least one of which took place in the State of Colorado after July 1, 1981, and the last of the acts of racketeering activity occurring within ten years after a prior act of racketeering activity and include:

- Conspiracy to Distribute Marihuana
- Distribution of Marihuana
- Cultivation of Marihuana
- Money Laundering
- Unlawful Use of Telephone

### **Racketeering Activity**

The acts of racketeering activity that the above named persons committed, attempted to commit, conspired to commit, or solicited, coerced, or intimidated another person to commit, consist of the following predicate acts, including any lesser included offenses:

#### **PREDICATE ACT ONE**

##### **Conspiracy to Distribute Marihuana, (F4)**

Between the dates of August 7 through August 15, 2010, in the State of Colorado, **Lakshman N. Garin** unlawfully, feloniously, and knowingly conspired with **Laura Vanwormer** to sell or distribute marihuana or marihuana concentrate; in violation of section 18-18-406(8)(b), C.R.S.

#### **PREDICATE ACT TWO**

##### **Distribution of Marihuana, (F4)**

Between the dates of August 7 through August 15, 2010, in the State of Colorado, **Lakshman N. Garin**, unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marihuana or marihuana concentrate; in violation of section 18-18-406(8)(b)(I), C.R.S.

The offenses alleged in Predicate Acts One and Two were committed in the following manner:

Between the dates of August 7 through August 15, 2010, Lakshman N. Garin spoke by telephone and agreed with Laura Vanwormer to distribute approximately two and one-half pounds of marihuana to a customer. After making these arrangements, Garin subsequently delivered approximately two and one-half pounds of marihuana to Laura Vanwormer at her residence at 3412 Canadian Parkway, Fort Collins, CO. As she had arranged with Garin, Vanwormer then distributed the two and one-half pounds of marihuana from Garin to the customer who paid her US currency for the marihuana. Both Garin and Vanwormer were aware that the customer was not a registered medical marihuana patient.

After she completed the deal with this customer, Vanwormer contacted Garin and she transferred the proceeds from the customer back to Garin.

**PREDICATE ACT THREE**  
**Conspiracy to Distribute Marihuana, (F4)**

On or about August 22, 2010, in the State of Colorado, **Lakshman N. Garin** unlawfully, feloniously, and knowingly conspired with **Laura Vanwormer**, to sell or distribute marihuana or marihuana concentrate; in violation of section 18-18-406(8)(b), C.R.S.

**PREDICATE ACT FOUR**  
**Distribution of Marihuana, (F4)**

On or about August 22, 2010, in the State of Colorado, **Lakshman N. Garin**, and **Clayton McCann**, unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marihuana or marihuana concentrate; in violation of section 18-18-406(8)(b)(I), C.R.S.

The offenses alleged in Predicate Acts Three and Four were committed in the following manner:

On or about August 22, 2010, Lakshman N. Garin spoke by telephone and agreed with Laura Vanwormer to distribute approximately three pounds of marihuana to a customer. After making these arrangements, Garin subsequently delivered approximately three pounds of marihuana to Clayton McCann. McCann then transferred the three pounds of marihuana to Laura Vanwormer at her residence at 3412 Canadian Parkway, Fort Collins, CO. As she had arranged with Garin, Vanwormer then distributed the three pounds of marihuana from Garin and McCann to the customer who paid her US currency for the marihuana. Both Garin and Vanwormer were aware that the customer was not a registered medical marihuana patient.

**PREDICATE ACT FIVE**  
**Conspiracy to Distribute Marihuana, (F4)**

On or about September 9, 2010, in the State of Colorado, **Lakshman N. Garin** unlawfully, feloniously, and knowingly conspired with **Laura Vanwormer**, to sell or distribute marihuana or marihuana concentrate; in violation of section 18-18-406(8)(b), C.R.S.

**PREDICATE ACT SIX**  
**Distribution of Marihuana, (F4)**

On or about September 9, 2010, in the State of Colorado, **Lakshman N. Garin**, and **Clayton McCann**, unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marihuana or marihuana concentrate; in violation of section 18-18-406(8)(b)(I), C.R.S.



The offenses alleged in Predicate Acts Five and Six were committed in the following manner:

On September 9, 2010, Lakshman N. Garin spoke by telephone and agreed with Laura Vanwormer to distribute approximately five pounds of marihuana to a customer. Garin told Vanwormer that one of his “workers” would deliver the five pounds of marihuana to Vanwormer and then later take the proceeds from the deal back to Garin. After making these arrangements, Garin provided Clayton McCann with approximately five pounds of marihuana. McCann then delivered these five pounds of marihuana to Laura Vanwormer at her residence at 3412 Canadian Parkway, Fort Collins, CO. As she had arranged with Garin, Vanwormer then distributed the five pounds of marihuana to the customer who paid her US currency for the marihuana. Both Garin and Vanwormer were aware that the customer was not a registered medical marihuana patient.

After she completed the deal with this customer, Vanwormer contacted Garin and they made arrangements for the proceeds to be remitted to Garin. A short time later, Micah Krout arrived at Vanwormer’s residence at 3412 Canadian Parkway, Fort Collins, CO, and collected the proceeds due to Garin.

**PREDICATE ACT SEVEN**  
**Distribution of Marihuana, (F4)**

On or about September 20, 2010, in the State of Colorado, **Lakshman N. Garin** and **Micah Krout** unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marihuana or marihuana concentrate; in violation of section 18-18-406(8)(b)(I), C.R.S.

The offense alleged in Predicate Act Seven was committed in the following manner:

On September 18, 2010, Laura Vanwormer had a conversation with Lakshman N. Garin. In this conversation, Garin told Vanwormer that he had forgotten to bring four pounds of marihuana to Vanwormer for distribution to their customer. Garin stated that he would have someone deliver the four pounds of marihuana to Vanwormer by September 20, 2010, when the customer was due to arrive at Vanwormer’s residence at 3412 Canadian Parkway, Fort Collins, CO, to receive the marihuana.

On September 20, 2010, at approximately 12:20 pm, Micah Krout arrived at Vanwormer’s residence and delivered the four pounds of marihuana to Vanwormer.

**PREDICATE ACT EIGHT**  
**Cultivation of Marihuana, (F4)**

Between the dates of January 1, 2010, through October 16, 2010, in the State of Colorado, **Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, and Clayton McCann**, unlawfully, knowingly, and feloniously cultivated, grew, produced, processed, or manufactured marihuana or marihuana concentrate, or allowed marihuana or marihuana concentrate to be cultivated, grown, produced, processed, or manufactured on land owned, occupied, or controlled by the defendant; in violation of section 18-18-406(8)(a), C.R.S.

The offense alleged in Predicate Act Eight was committed in the following manner:

Between the dates of January 1, 2010, through October 16, 2010, Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, and Clayton McCann grew, maintained and harvested mature marihuana plants that they had been growing and cultivating in the basement of the residence at 3412 Canadian Parkway, Larimer County, Colorado. After harvesting the marihuana plants, they dried and processed the plants.

**PREDICATE ACT NINE**  
**Cultivation of Marihuana, (F4)**

Between the dates of October 16, 2010, through December 2, 2010, in the State of Colorado, **Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, and Clayton McCann**, unlawfully, knowingly, and feloniously cultivated, grew, produced, processed, or manufactured marihuana or marihuana concentrate, or allowed marihuana or marihuana concentrate to be cultivated, grown, produced, processed, or manufactured on land owned, occupied, or controlled by the defendant; in violation of section 18-18-406(8)(a), C.R.S.

The offense alleged in Predicate Act Nine was committed in the following manner:

Between the dates of October 16, 2010, through December 2, 2010, Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, and Clayton McCann grew, maintained and cultivated marihuana plants that they had installed in the basement of the residence at 3412 Canadian Parkway, Fort Collins, Colorado.

**PREDICATE ACT TEN**  
**Cultivation of Marihuana, (F4)**

Between the dates of June 1, 2010, through December 2, 2010, in the State of Colorado, **Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, and Clayton McCann**, unlawfully, knowingly, and feloniously cultivated, grew, produced, processed, or manufactured marihuana or marihuana concentrate, or allowed marihuana or marihuana concentrate to be cultivated, grown, produced, processed, or manufactured on land owned, occupied, or controlled by the defendant; in violation of section 18-18-406(8)(a), C.R.S.

The offense alleged in Predicate Act Ten was committed in the following manner:

Between the dates of June 1, 2010, through December 2, 2010, Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, and Clayton McCann grew, maintained and cultivated marihuana plants that they had installed in the residence of Clayton McCann at 841 Tanager, Longmont, Colorado.

**PREDICATE ACT ELEVEN**  
**Cultivation of Marihuana, (F4)**

Between the dates of January 1, 2010, through December 2, 2010, in the State of Colorado, **Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, and Clayton McCann**, unlawfully, knowingly, and feloniously cultivated, grew, produced, processed, or manufactured marihuana or marihuana concentrate, or allowed marihuana or marihuana concentrate to be cultivated, grown, produced, processed, or manufactured on land owned, occupied, or controlled by the defendant; in violation of section 18-18-406(8)(a), C.R.S.

The offense alleged in Predicate Act Eleven was committed in the following manner:

Between the dates of January 1, 2010, through December 2, 2010, Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, and Clayton McCann grew, maintained and cultivated marihuana plants that they had installed in the residence of Buck Glanz at 2227 Alpine, Erie, Colorado.

**PREDICATE ACT TWELVE**  
**Cultivation of Marihuana, (F4)**

Between the dates of February 1, 2010, through December 2, 2010, in the State of Colorado, **Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, and Clayton McCann**, unlawfully, knowingly, and

feloniously cultivated, grew, produced, processed, or manufactured marihuana or marihuana concentrate, or allowed marihuana or marihuana concentrate to be cultivated, grown, produced, processed, or manufactured on land owned, occupied, or controlled by the defendant; in violation of section 18-18-406(8)(a), C.R.S.

The offense alleged in Predicate Act Twelve was committed in the following manner:

Between the dates of February 1, 2010, through December 2, 2010, Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, and Clayton McCann grew, maintained and cultivated marihuana plants that they had installed in the residence of Micah Krout at 1911 Rannoch, Longmont, Colorado.

**PREDICATE ACT THIRTEEN**  
**Cultivation of Marihuana, (F4)**

Between the dates of November 1, 2009, through December 2, 2010, in the State of Colorado, **Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, and Clayton McCann**, unlawfully, knowingly, and feloniously cultivated, grew, produced, processed, or manufactured marihuana or marihuana concentrate, or allowed marihuana or marihuana concentrate to be cultivated, grown, produced, processed, or manufactured on land owned, occupied, or controlled by the defendant; in violation of section 18-18-406(8)(a), C.R.S.

The offense alleged in Predicate Act Thirteen was committed in the following manner:

Between the dates of November 1, 2009, through December 2, 2010, Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, and Clayton McCann grew, maintained and cultivated marihuana plants that they had installed in the residence of Richard G. Caleel at 9651 West 105<sup>th</sup> Avenue, Westminster, Colorado.

**PREDICATE ACT FOURTEEN**  
**Cultivation of Marihuana, (F4)**

Between the dates of September 1, 2010, through December 2, 2010, in the State of Colorado, **Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, and Clayton McCann**, unlawfully, knowingly, and feloniously cultivated, grew, produced, processed, or manufactured marihuana or marihuana concentrate, or allowed marihuana or marihuana concentrate to be cultivated, grown, produced, processed, or manufactured on land owned,

occupied, or controlled by the defendant; in violation of section 18-18-406(8)(a), C.R.S.

The offense alleged in Predicate Act Fourteen was committed in the following manner:

Between the dates of September 1, 2010, through December 2, 2010, Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, and Clayton McCann grew, maintained and cultivated marihuana plants that they had installed in the residence of Lakshman N. Garin and Magin Gomez at 508 St. Andrews, Longmont, Colorado.

**PREDICATE ACT FIFTEEN**  
**Distribution of Marihuana, (F4)**

Between the dates of November 16, 2010, through November 17, 2010, in the State of Colorado, **Lakshman N. Garin**, unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marihuana or marihuana concentrate; in violation of section 18-18-406(8)(b)(I), C.R.S.

The offense alleged in Predicate Act Fifteen was committed in the following manner:

On or about November 17, 2010, Garin delivered approximately one pound of marihuana to a customer at his residence at 1998 Columbine Street, #10, Denver, Colorado.

**PREDICATE ACT SIXTEEN**  
**Conspiracy to Distribute Marihuana, (F4)**

Between the dates of November 13, 2010, and November 23, 2010, in the State of Colorado, **Richard G. Caleel, Lakshman N. Garin, Micah Krout, Charles Whitson**, and **Austin Leard** unlawfully, feloniously, and knowingly conspired with **each other** to sell or distribute marihuana or marihuana concentrate; in violation of section 18-18-406(8)(b), C.R.S.

**PREDICATE ACT SEVENTEEN**  
**Money Laundering (F4)**

Between the dates of November 13, 2010, and November 26, 2010, in the State of New Mexico, **Charles Whitson** and **Austin Leard** unlawfully, feloniously, and while knowing that the property was proceeds of an unlawful activity, namely the illegal distribution of marijuana, made property available to another person by means of a financial transaction or by transporting the property, when they knew that the property was intended for use by the other person to commit or further

the commission of a specified unlawful activity; in violation of section 30-51-4(A)(4), New Mexico Statutes Annotated.

**PREDICATE ACT EIGHTEEN**  
**Unlawful Use of a Communication Facility**

Between the dates of November 13, 2010, and November 26, 2010, in the State of New Mexico, **Charles Whitson** and **Austin Leard** did knowingly or intentionally use a communications facility, namely, a telephone, to facilitate the commission of a felony, namely, distribution of a controlled substance, possession with the intent to distribute a controlled substance and/or conspiracy to distribute a controlled substance in violation of 21 U.S.C. §§ 841 and 846, such use of a communications facility being unlawful, and in violation of 21 U.S.C. § 843.

The offenses alleged in Predicate Acts Sixteen through Eighteen were committed in the following manner:

Beginning on or about November 13, 2010, and continuing through November 26, 2010, Lakshman N. Garin had a series of phone conversations with Richard Caleel, Charles Whitson, and Austin Leard. In these series of telephone conversations, Garin arranged for Caleel to transport several pounds of marijuana to New Mexico to ultimately be delivered to Leard. In this series of telephone conversations, Whitson, who was present in New Mexico, agreed to facilitate the distribution to Leard in New Mexico while Garin remained in Colorado. Garin also had a series of conversations with Micah Krout in which Krout agreed to collect the proceeds from the marijuana sale to Leard. After making these arrangements, Caleel transported the marijuana to New Mexico where he transferred it to Whitson. Whitson then delivered the marijuana to Leard at Albuquerque, New Mexico. Leard subsequently remitted to Whitson several thousand dollars in US Currency. Whitson then transported the cash proceeds to Krout, as Whitson had agreed to do with Garin. Finally, Krout brought the cash proceeds to Garin in Colorado.

**PREDICATE ACT NINETEEN**  
**Possession with Intent to Distribute Marihuana  
or Marihuana Concentrate, (F4)**

On or about December 10, 2010, in the State of Colorado, **Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, and Clayton McCann**, unlawfully, feloniously, and knowingly possessed or attempted to possess, with intent to sell or distribute marihuana or marihuana concentrate; in violation of section 18-18-406(8)(b), C.R.S.

The offense alleged in Predicate Act Nineteen was committed in the following manner:

Between the dates of January 1, 2010, through December 10, 2010, Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, and Clayton McCann operated a criminal enterprise in which they collectively cultivated marijuana plants at various locations throughout Northern Colorado. After harvesting these plants, the members of the group: Caleel, Garin, Glanz, Gomez, Krout, and McCann processed and packaged the marijuana for future distribution. On or about December 10, 2010, the total of processed marijuana belonging to the group amounted to approximately 109 pounds. The bulk of the processed marijuana was stored in a storage unit belonging to the group in Longmont, CO. In addition, processed marijuana was also stored at the respective residences of each member of the group.

#### **PREDICATE ACT TWENTY**

##### **Marijuana—Fraudulently Use or Steal Registry Identification Card, (M1)**

Between the dates of January 1, 2010, through December 10, 2010, in the State of Colorado, **Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, and Clayton McCann**, unlawfully and fraudulently used or stole a marijuana registry identification card; in violation of section 18-18-406.3(3), C.R.S.

The offense alleged in Predicate Act Twenty was committed in the following manner:

Between the dates of January 1, 2010, through December 10, 2010, Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, and Clayton McCann operated a criminal enterprise in which they collectively cultivated marijuana plants at various locations throughout Northern Colorado. After harvesting these plants, the members of the group then processed and packaged the marijuana for future distribution in Colorado and New Mexico. The members of the group maintained three packets of identical photocopied marijuana registry application records, which they utilized as a “cover” for their wholly illegal operation.

### **COUNT THREE**

#### **Conspiracy to Commit Distribution of Marihuana, (F4)**

Between the dates of August 7, 2010, through August 15, 2010, in the State of Colorado, **Lakshman N. Garin** unlawfully, feloniously, and knowingly conspired with **Laura Vanwormer**, to sell or distribute marihuana or marihuana concentrate; in violation of section 18-18-406(8)(b), C.R.S.

### **COUNT FOUR**

#### **Distribution of Marihuana, (F4)**

Between the dates of August 7, 2010, through August 15, 2010, in the State of Colorado, **Lakshman N. Garin**, unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marihuana or marihuana concentrate; in violation of section 18-18-406(8)(b)(I), C.R.S.

The offenses alleged in Counts Three and Four were committed in the manner described in Predicate Acts One and Two.

### **COUNT FIVE**

#### **Conspiracy to Commit Distribution of Marihuana, (F4)**

On or about August 22, 2010, in the State of Colorado, **Lakshman N. Garin** unlawfully, feloniously, and knowingly conspired with **Laura Vanwormer**, to sell or distribute marihuana or marihuana concentrate; in violation of section 18-18-406(8)(b), C.R.S.

### **COUNT SIX**

#### **Distribution of Marihuana, (F4)**

On or about August 22, 2010, in the State of Colorado, **Lakshman N. Garin**, and **Clayton McCann**, unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marihuana or marihuana concentrate; in violation of section 18-18-406(8)(b)(I), C.R.S.

The offenses alleged in Counts Five and Six were committed in the manner described in Predicate Acts Three and Four.



**COUNT SEVEN**  
**Conspiracy to Commit Distribution of Marihuana, (F4)**

On or about September 9, 2010, in the State of Colorado, **Lakshman N. Garin** unlawfully, feloniously, and knowingly conspired with **Laura Vanwormer**, to sell or distribute marihuana or marihuana concentrate; in violation of section 18-18-406(8)(b), C.R.S.

**COUNT EIGHT**  
**Distribution of Marihuana, (F4)**

On or about September 9, 2010, in the State of Colorado, **Lakshman N. Garin**, and **Clayton McCann**, unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marihuana or marihuana concentrate; in violation of section 18-18-406(8)(b)(I), C.R.S.

The offenses alleged in Counts Seven and Eight were committed in the manner described in Predicate Acts Five and Six.

**COUNT NINE**  
**Distribution of Marihuana, (F4)**

On or about September 20, 2010, in the State of Colorado, **Lakshman N. Garin**, and **Micah Krout** unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marihuana or marihuana concentrate; in violation of section 18-18-406(8)(b)(I), C.R.S.

The offense alleged in Count Nine was committed in the manner described in Predicate Act Seven.

**COUNT TEN**  
**Cultivation of Marihuana, (F4)**

Between the dates of January 1, 2010, through October 16, 2010, in the State of Colorado, **Richard G. Caleel**, **Lakshman N. Garin**, **Buck Glanz**, **Magin Gomez**, **Micah Krout**, and **Clayton McCann**, unlawfully, knowingly, and feloniously cultivated, grew, produced, processed, or manufactured marihuana or marihuana concentrate, or allowed marihuana or marihuana concentrate to be cultivated, grown, produced, processed, or manufactured on land owned, occupied, or controlled by the defendant; in violation of section 18-18-406(8)(a), C.R.S.

The offense alleged in Count Ten was committed in the manner described in Predicate Act Eight.

**COUNT ELEVEN**  
**Cultivation of Marihuana, (F4)**

Between the dates of October 16, 2010, through December 2, 2010, in the State of Colorado, **Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, and Clayton McCann**, unlawfully, knowingly, and feloniously cultivated, grew, produced, processed, or manufactured marihuana or marihuana concentrate, or allowed marihuana or marihuana concentrate to be cultivated, grown, produced, processed, or manufactured on land owned, occupied, or controlled by the defendant; in violation of section 18-18-406(8)(a), C.R.S.

The offense alleged in Count Eleven was committed in the manner described in Predicate Act Nine.

**COUNT TWELVE**  
**Cultivation of Marihuana, (F4)**

Between the dates of June 1, 2010, through December 2, 2010, in the State of Colorado, **Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, and Clayton McCann**, unlawfully, knowingly, and feloniously cultivated, grew, produced, processed, or manufactured marihuana or marihuana concentrate, or allowed marihuana or marihuana concentrate to be cultivated, grown, produced, processed, or manufactured on land owned, occupied, or controlled by the defendant; in violation of section 18-18-406(8)(a), C.R.S.

The offense alleged in Count Twelve was committed in the manner described in Predicate Act Ten.

**COUNT THIRTEEN**  
**Cultivation of Marihuana, (F4)**

Between the dates of January 1, 2010, through December 2, 2010, in the State of Colorado, **Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, and Clayton McCann**, unlawfully, knowingly, and feloniously cultivated, grew, produced, processed, or manufactured marihuana or marihuana concentrate, or allowed marihuana or marihuana concentrate to be cultivated, grown, produced, processed, or manufactured on land owned, occupied, or controlled by the defendant; in violation of section 18-18-406(8)(a), C.R.S.

The offense alleged in Count Thirteen was committed in the manner described in Predicate Act Eleven.

**COUNT FOURTEEN**  
**Cultivation of Marihuana, (F4)**

Between the dates of February 1, 2010, through December 2, 2010, in the State of Colorado, **Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, and Clayton McCann**, unlawfully, knowingly, and feloniously cultivated, grew, produced, processed, or manufactured marihuana or marihuana concentrate, or allowed marihuana or marihuana concentrate to be cultivated, grown, produced, processed, or manufactured on land owned, occupied, or controlled by the defendant; in violation of section 18-18-406(8)(a), C.R.S.

The offense alleged in Count Fourteen was committed in the manner described in Predicate Act Twelve.

**COUNT FIFTEEN**  
**Cultivation of Marihuana, (F4)**

Between the dates of November 1, 2009, through December 2, 2010, in the State of Colorado, **Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, and Clayton McCann**, unlawfully, knowingly, and feloniously cultivated, grew, produced, processed, or manufactured marihuana or marihuana concentrate, or allowed marihuana or marihuana concentrate to be cultivated, grown, produced, processed, or manufactured on land owned, occupied, or controlled by the defendant; in violation of section 18-18-406(8)(a), C.R.S.

The offense alleged in Count Fifteen was committed in the manner described in Predicate Act Thirteen.

**COUNT SIXTEEN**  
**Cultivation of Marihuana, (F4)**

Between the dates of September 1, 2010, through December 2, 2010, in the State of Colorado, **Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, and Clayton McCann**, unlawfully, knowingly, and feloniously cultivated, grew, produced, processed, or manufactured marihuana or marihuana concentrate, or allowed marihuana or marihuana concentrate to be cultivated, grown, produced, processed, or manufactured on land owned, occupied, or controlled by the defendant; in violation of section 18-18-406(8)(a), C.R.S.

The offense alleged in Count Sixteen was committed in the manner described in Predicate Act Fourteen.

**COUNT SEVENTEEN**  
**Distribution of Marihuana, (F4)**

Between the dates of November 16, 2010, through November 17, 2010, in the State of Colorado, **Lakshman N. Garin**, unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marihuana or marihuana concentrate; in violation of section 18-18-406(8)(b)(I), C.R.S.

The offense alleged in Count Seventeen was committed in the manner described in Predicate Act Fifteen.

**COUNT EIGHTEEN**  
**Conspiracy to Distribute Marihuana, (F4)**

Between the dates of November 13, 2010, and November 26, 2010, in the State of Colorado, **Richard G. Caleel, Lakshman N. Garin, Micah Krout, Charles Whitson, and Austin Leard** unlawfully, feloniously, and knowingly conspired with **each other**, to sell or distribute marihuana or marihuana concentrate; in violation of section 18-18-406(8)(b), C.R.S.

The offense alleged in Count Eighteen was committed in the manner described in Predicate Acts Sixteen through Eighteen.

**COUNT NINETEEN**  
**Possession with Intent to Distribute Marihuana  
or Marihuana Concentrate, (F4)**

On or about December 10, 2010, in the State of Colorado, **Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, and Clayton McCann**, unlawfully, feloniously, and knowingly possessed or attempted to possess, with intent to sell or distribute marihuana or marihuana concentrate; in violation of section 18-18-406(8)(b), C.R.S.

The offense alleged in Count Nineteen was committed in the manner described in Predicate Act Nineteen.

**COUNT TWENTY**  
**Marijuana—Fraudulently Use or Steal Registry Identification Card, (M1)**

Between the dates of September 1, 2010, through December 10, 2010, in the State of Colorado, **Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, and Clayton McCann**, unlawfully and fraudulently used or stole a marijuana registry identification card; in violation of section 18-18-406.3(3), C.R.S.

The offense alleged in Count Twenty was committed in the manner described in Predicate Act Twenty.

**COUNT TWENTY-ONE**  
**Distribution of Marihuana, (F4)**

On or about September 9, 2010, in the State of Colorado, **Laura Vanwormer**, unlawfully, feloniously, and knowingly sold or distributed, or attempted to sell or distribute, marihuana or marihuana concentrate; in violation of section 18-18-406(8)(b)(I), C.R.S.

The offense alleged in Count Twenty-Three was committed in the following manner:

On or about September 9, 2010, Laura Vanwormer delivered approximately five pounds of marihuana to a customer at her residence at at 3412 Canadian Parkway, Fort Collins, Colorado.

**SPECIAL OFFENDER**  
**100 Pounds of Marihuana or Marihuana Concentrate, (SE)**

Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, and Clayton McCann committed the felony offense charged in Count Nineteen and possessed, dispensed, sold, distributed or imported into the State of Colorado a quantity in excess of one hundred pounds of marihuana or marihuana concentrate; in violation of section 18-18-407(1)(e), C.R.S.

**SPECIAL OFFENDER**  
**Source of Income, (SE)**

Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, and Clayton McCann committed the felony offenses charged in Counts Ten through Sixteen and Count Nineteen as part of a pattern of manufacturing, sale, or distributing controlled substances, which constituted a substantial source of the defendants' income and in which the defendants manifested special skill or expertise; in violation of section 18-18-407(1)(b), C.R.S.

**SPECIAL OFFENDER**  
**Conspiracy—Pattern of Sale, (SE)**

Richard G. Caleel, Lakshman N. Garin, Buck Glanz, Magin Gomez, Micah Krout, and Clayton McCann committed the felony offenses charged in Counts Ten through Sixteen and Count Nineteen which was, or was in furtherance of, a conspiracy with one or more persons to engage in a pattern of manufacturing, sale, or distributing controlled substances, and the defendants did, or agreed that

the defendants would initiate, organize, plan, finance, direct, manage, or supervise part or all of the conspiracy or manufacture, sale or distributing; in violation of section 18-18-407(1)(c), C.R.S.

**SPECIAL OFFENDER**

**Organizer in Series of Violations with Others, (SE)**

Richard G. Caleel engaged in a continuing criminal enterprise by violating section 18-18-406(8)(a)(I), C.R.S., namely: Cultivation of Marihuana, and this violation was a part of a continuing series of two or more violations of part 4 of article 18 of title 18, C.R.S., on separate occasions, namely: Cultivation of Marihuana, in violation of section 18-18-406(8)(a)(I), C.R.S., between the dates of January 1, 2010, through October 15, 2010; and Cultivation of Marihuana, in violation of section 18-18-406(8)(a)(I), C.R.S., between the dates of October 16, 2010, through December 2, 2010; and Richard G. Caleel undertook the continuing series of violations in concert with at least five other persons with respect to whom the defendant occupied a position of organizer, or supervisor, or other position of management, and the defendant obtained substantial income or resources from the continuing series of violations; in violation of section 18-18-407(1)(h), C.R.S.

**SPECIAL OFFENDER**

**Organizer in Series of Violations with Others, (SE)**

Lakshman N. Garin engaged in a continuing criminal enterprise by violating section 18-18-406(8)(a)(I), C.R.S., namely: Cultivation of Marihuana, and this violation was a part of a continuing series of two or more violations of part 4 of article 18 of title 18, C.R.S., on separate occasions, namely: Cultivation of Marihuana, in violation of section 18-18-406(8)(a)(I), C.R.S., between the dates of January 1, 2010, through October 15, 2010; and Cultivation of Marihuana, in violation of section 18-18-406(8)(a)(I), C.R.S., between the dates of October 16, 2010, through December 2, 2010; and Lakshman N. Garin undertook the continuing series of violations in concert with at least five other persons with respect to whom the defendant occupied a position of organizer, or supervisor, or other position of management, and the defendant obtained substantial income or resources from the continuing series of violations; in violation of section 18-18-407(1)(h), C.R.S.